

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA :  
 :  
 v. : 1:11-mj-00158-DLM-1  
 :  
 ARMAND THIBODEAU :

**GOVERNMENT'S MOTION AND MEMORANDUM TO  
EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

Now comes the United States, and, pursuant to 18 U.S.C. § 3161(h), moves to exclude certain time from the operation of the time limit imposed by the Speedy Trial Act. 18 U.S.C. § 3161(b) imposes a 30-day time period, from the date of arrest, within which an information or indictment must be filed. On September 6, 2011, the parties agreed that an additional 60-day period, a period up to and including November 30, 2011, be excluded from the § 3161(b) time limit. The government moves that this Court order that the period agreed upon be excluded pursuant to 18 U.S.C. § 3161(h).

The parties continue to engage in negotiations that may lead to the prompt resolution of the complaint, thus fulfilling one of the purposes of the Speedy Trial Act. See 18 U.S.C. §3161(h)(1)(I). Should defense counsel notify the government in writing that further negotiations would be fruitless, the government agrees that the speedy indictment "clock" would begin running again.

For all of the foregoing reasons, the government believes that the ends of justice justify the exclusion of the period until either November 30, 2011.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 8<sup>th</sup> day of September 2011, a copy of the within “Motion to Exclude Time Under The Speedy Trial Act” was electronically filed, causing service on the below listed counsel for the defendant.

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